



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Thomas L. Grey et al.

Serial No.: 10/601,246

Filed: June 20, 2003

For: AUTOMATICALLY MODULATING
ACUPRESSURE DEVICE

Attorney Docket No.: 212/231USC3

Examiner: Shaffer, Richard R.

Group Art Unit: 3733

Date: September 11, 2006

Certificate of Mailing (37 CFR 1.8(a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the:

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Date of Deposit: September 11, 2006

David L. Weinstein
David L. Weinstein

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION (37 CFR 1.321(b))**

Identification of Person Making This Disclaimer

I, David L. Weinstein, represent that I am the attorney of record for this invention.

Identity of Assignee

The assignee is Abbott Laboratories, 100 Abbott Park Road, Abbott Park, Illinois, 60064.

Extent of Interest

The extent of the interest of Abbott Laboratories is in the whole of this invention.

09/15/2006 EHAILE1 00000019 010025 10601246

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Recordal of Assignment in PTO

The assignment was recorded at Reel 013925, Frame 0104, on August 28, 2003.

Disclaimer

The terminal part of the statutory term of any patent granted on the above-identified application (10/601,246), which would extend beyond the expiration dates of the full statutory term defined in 35 U. S. C. 154 to 156 and 173 of the patents forming the basis of the double patenting rejection (U.S. Patent Nos. 6,361,550 and 6,582,449), is hereby disclaimed, except as provided below, and it is agreed that any patent so granted on the above-identified application (10/601,246) shall be enforceable only for, and during, such period that the legal title to such patent shall be the same as the legal title to U.S. Patent Nos. 6,361,550 and 6,582,449, this agreement to run with any patent granted on the above-identified application (10/601,246) and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, disclaimant does not disclaim the terminal part of any patent granted on the above-identified application (10/601,246) prior to the expiration date of the full statutory term as defined in 35 U. S. C. 154 to 156 and 173 of the patents forming the basis of the double patenting rejection (U.S. Patent Nos. 6,361,550 and 6,582,449) in the event that either later: expires for failure to pay maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a); has all claims cancelled by a reexamination certification; is reissued in any manner or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for separation of legal title as stated above.

Fee Payment

Charge Deposit Account No. 01-0025 the sum of \$130.00. A duplicate of this disclaimer is attached.

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SIGNATURE OF DISCLAIMER:



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